

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7801

Application of Encore BTV Schools Solar I, LLC,)
for a Certificate of Public Good authorizing the)
installation and operation of a renewable energy)
plant pursuant to 30 V.S.A. § 8007(a))
)

Order entered: 10/26/2011

I. INTRODUCTION

This case involves an application filed by Encore BTV Schools Solar I, LLC ("Applicant"), on October 14, 2011, requesting a certificate of public good ("CPG"), pursuant to 30 V.S.A. §§ 219a, 248, and 8007(a), and Vermont Public Service Board ("Board") Rule 5.100, for a roof-mounted photovoltaic electric generating facility with a system-rated capacity of 131.74 kW AC.¹ The output of the proposed facility will be purchased by the City of Burlington Electric Department ("BED") through a power purchase agreement.

Pursuant to 30 V.S.A. § 8007(a), all small renewable energy plants of 150 kW or less in capacity may utilize the streamlined application and interconnection procedures developed for net metering systems under 30 V.S.A. § 219a and Board Rule 5.100.

Notice of the application was sent on October 13, 2011, to all parties as specified in the Board's Rule 5.100. The notice stated that any party wishing to submit comments or request a hearing in this matter needed to file comments with the Board within ten (10) working days of the date that the notice of the application was sent.

On October 17, 2011, the Department of Public Service waived the 10-day comment period.

On October 18, 2011, BED waived the 10-day comment period.

1. On September 12, 2011, Encore Redevelopment, LLC ("Encore"), filed an application for the same project with "CP Smith Elementary School" listed as the Applicant.

The Board has reviewed the application and accompanying documents and agrees that, pursuant to 30 V.S.A. §§ 219a, 248, 8007(a), and Board Rule 5.100, a CPG should be issued without further investigation or hearing.

II. FINDINGS

Based upon the application and its accompanying documents, the Board makes the following findings in this matter.

1. The proposed project will be on property owned by the Burlington School District and located at 332 Ethan Allen Parkway in Burlington, Vermont. Application at Section 1.
2. The proposed generating facility is to be erected on the roof of CP Smith Elementary School. Application at Section 4.
3. The proposed project consists of a photovoltaic electrical generation system with a system-rated output of 131.97 kW AC. The facility will be interconnected with the BED electrical distribution system. Application at Section 4 and attachment.
4. The energy output of the project will be purchased by BED for a period of 20 years pursuant to the terms of a power purchase agreement. Letter from Chad Farrell, P.E., to Susan Hudson, Clerk of the Board, dated September 9, 2011.
5. Applicant has certified that the project is in compliance with all of the provisions of Section 3 of the application. Based on this certification, we conclude that the project does not raise a significant issue with respect to the environmental criteria of 30 V.S.A. § 248. Application at Section 3.
6. Applicant has certified compliance with the insurance requirements as set forth in Section 3 of the application. Application at Section 3.

III. DISCUSSION AND CONCLUSION

Pursuant to § 8007(a), all small renewable energy plants of 150 kW or less in capacity may utilize the streamlined application and interconnection procedures developed for net metering systems under Section 219a and Board Rule 5.100.

Based upon the findings and evidence, the proposed small renewable energy project meets the requirements of Board Rule 5.100, the application does not raise a significant issue

with respect to the substantive criteria of 30 V.S.A. § 248, and the proposed project will promote the general good of the State.

IV. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board ("Board") of the State of Vermont that:

1. The proposed photovoltaic system, in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State of Vermont pursuant to 30 V.S.A. §§ 219a, 248, and 8007(a), and a certificate of public good to that effect shall be issued in this matter
2. Construction, operation, and maintenance of the proposed project shall be in accordance with the plans and representations as submitted in this proceeding. Any material deviation from these plans must be approved by the Board.
3. The photovoltaic system shall comply with applicable existing and future statutory requirements and Board Rules and Orders.

DATED at Montpelier, Vermont, this 26th day of October, 2011.

<u>s/ James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/ David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/ John D. Burke</u>)	

OFFICE OF THE CLERK

Filed: October 26, 2011

Attest: s/ Judith C. Whitney
Deputy Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.